## **COOK WILL NOT DIE** IN ELECTRIC CHAIR

Supreme Court Says Verdict in York County Case Is Not Supported by Evidence.

REVERSED

Punishment for Illicit Selling Too Heavy-Loose Rock Is Part of Land.

Finding that the evidence in the case of Hezekiah Cook, of York County, does not support a verdict of murder in the first degree, with the pun-ishment of electrocution, the Supreme Court of Appeals yesterday handed down an opinion reversing the judg-ment of the Circuit Court and ordering a new trial. This means that the prisoner will never dies in the electric

chair for this offense, Cook was convicted of the murder of Thomas Bartlett, his half-brother. The only eye-witnesses were the pris-oner and a woman named Maude Page, and it is pointed out by the Supreme Court in an opinion by Judge Cardwell that their accounts of the killing were not only the same at the trial as were related by them from the beginning, but that they are borne out by the evidence of others as to correlating olr-cumstances. The theory of the Com-monwealth was that Cook killed Bart-

decision of the Supreme Court yestercus Shifflett was tried on two charges, one of selling liquor in violation of the provisions of the Byrd law as applying to no-license territory, and the other of selling liquor without a li-cense, which would be applicable in all circumstances. In both cases the court imposed a jail sentence of six months, making a year in all, a penalty which is expressly provided for the second or subsequent offense, whereas this seems to have been the first prosecu-The defendant tried to have the en

tire verdict set aside on the ground that the date of sale was not mentioned in the indictment, but this is overruled, and he must pay the fines required for a first offense.

Loose Rock is Part of Land.

In the case of Eggborn vs. Smith, from the Circuit Court of Culpeper County, the court helds, in an opinion by Judge Cardwell, that where loose dirt or rock is placed on land with the owner's consent, it becomes a part of the land and is not seen as a part. of the land and is not separate per-sonal property. When the Southern Railway double tracked its road, it became necessary to make a deep cut near the town of Culpeper. The road Russell Smith \$1,100 to be alland near by, and to make a temporary road through his property. Later the land, with other lots owned by Smith, was sold under a deed of trust, finally passing into possession of Eggborn. It seems that just before the forced sale. Smith deeded the rock on the land to his wife, and she sought to claim

### Grandma Talks **About Babies**

Has a large Circle of Listeners Who Profit by Her Wisdom and Experience.

In almost any settled community there's a grandma who knows Mother's Friend. Not only is she reminiscent of her own experience, but it was through her recommendation that so many young, expectant methers derived the comfort and blessing of this famous remedy.

Mother's Friend is applied externelly. Mother's Friend is applied externally to

Mother's Friend is applied externally to the abdomen, stomach and breasts, allays all pain, avoids all nausea, and prevents caking of the breasts.

It is quickly and wonderfully penetrating, permits the muscles to expand without the strain on the lighments, and prepares the system so thoroughly that the crisis is passed almost without the slightest distress. These almost without the slightest distress. almost without the slightest distress. Thus there need be no such thing as dread or fear.

No better nor more cheering advice can be given the expectant mother than to suggest the use of Mother's Friend. She will take courage from the beginning. The days will be cheerful, the nights restful. Thus the health is preserved, the mind is in repose and the pried is an unending one of quiet, joyful anticipation.

You can obtain Mother's Friend of any druggist at \$1.00 a boutle. Do not forget nor neglect to be supplied with this greatest remedy ever devised for metherhood. It is unfailing. Write at once to Braddield Regualmost without the slightest distress. Thus

unfailing. Write at once to Bradield Regu-lator Co., 133 Lamar Bidg., Atlanta, Ga., for their very interesting and instructive book of advice for expectant mothers.

# W. Fred. Richardson, Inc.

# Storage and

Transfer Department

Main and Beividere Streets. The most modern and up-to-

date Fireproof Storage Building in the South; vaults for silver and other valuables; individual trunk rooms; steam heated piano rooms, and every other modern convenience for the care of household goods. Get our estimate on crating and shipping your furniture. Phone Monroe 843.

### THE **HARDMAN PIANO**

The official piano of the Metropolitan Opera House and the choice of the greatest artists for their personal and concert

You cannot make a mistake in selecting a piano which has the indorsement of the best of musical authorities.

### Walter D. Moses & Co.

103 EAST BROAD STREET. and North Carolina.

it is placed, and the Circuit Court is reversed.

Chancery Decree Reversed. The remaining case of the five decided yesterday is that of Leavell vs. Grasty, from the Circuit Court of Culpeper County. The guardian ad litem of the children of Mrs. Lucy B. Leavell dence of others as to correlating circumstances. The theory of the Commonwealth was that Cook killed Bartlet because of jealousy, but the opinion says that this is not confirmed by evidence. The defense says it was a blow struck only with the intention

by evidence. The defense says it was a blow struck only with the intention of disabling Eartlett, as he was making an attack on the woman, who was calling for help, and that Cook did not even know who his victim was.

Punishment Too Heavy.

In the desire of the authorities of Greene County to break up illict liquor selling, they secured the impostion of penalties heavier than were allowed by the law, according to a decision of the Supreme Court yester-

May Adjourn Tuesday,
It is probable that the court will
conclude its business for the term by next Tuesday. Proceedings yesterday

were as follows:

Hill vs. Saunders et als.; argued by Grimsley & Miller for the appellant, and by J. L. Jeffries for the appellee, and submitted.

and submitted.

Phillips et als, vs. City of Portsmouth; argued by R. R. Hicks for the appellants, and by Frank L. Crocker for the appellee, and submitted.

Murguiondo vs. Nowlan et als.; partly argued and continued to to-day.

Next cases to be called; Citizens' Bank of Norfolk vs Norfolk and Western Railway Company; Recker vs. Southern Railway Company. Southern Railway Company

Committees at Work to Study Causes and Prevention of Accidents.

Special to The Times - Roanoke, Va., March 20—The Norfolk and Western Railroad Company has organized all over its line the refety movement. Committees are at the second s sale. Smith deeded the rock on the land to his wife, and she sought to claim the value of the deposit, estimated at \$16,000, from the new owner. The trial court gave her a verdict of \$2.500.

In the decision it is held that the sole question is whether or not rock losses its chaacter when blasted from the land where it was placed by nature and placed elsewhere. The court says and placed elsewhere. The court says gestions and report to a commission at Roanoke, composed of general offi-

at Romoke, composed of general officers, as follows: W. S. Becker, assistant to vice-president, chalrman; W.
S. Nattle, Jr., general claim agent,
vice-chalrman; A. Kearney, assistant
superintendent motive power; J. W.
Cook, superintendent Radford division;
G. W. Merrell, assistant to general
manager; D. M. Junkin, terminal
trainmaster; G. F. Turley, trainmaster;
R. H. Dyer, division car inspector; H.
D. Guy, agent, Romoke; D. W. Richards, signal engineer; H. L. Gettys,
bridge inspector; J. J. Burch, division
car inspector; Frank Helvestine, stenographer-secretary.

nographer-secretary.

A button has been designated and A button has been designated and made, which is worn on the coat lapel by each committeeman. It bears the trade mark of the Norfolk and Western Railroad Company in the centre and the words "Safety Committee—and the words "Safety Committee—and the words "The prevailing colors and the words "Safety Committee—
Safety First." The prevailing colors
are red-and blue, which, in railroad
practice, signify danger and caution.
A circular was issued by the railway company recently, which, in genral terms explained the workings of this safety movement. It is expected this safety movement. It is e ganizations, the company will be able to reduce to a minimum personal in-jury accidents of all kinds, which will be a benefit to the public, to the em-

DESTROYED BY FIRE.

Farmer in Remote Section of James

Carmer in Remote Section of James City County Suffers Heavy Loss.

[Special to The Times-Dispatch.]

Williamsburg, Va., March 20.—Word has just been received here of the destruction by fire a few nights ago of the home of J. K. Nightengale, who has lived on Piney Grove farm, in a remote section of James City. Resides the dwelling, the family lost everything in the house. The fire originated from a defective stovenipe. This is the third fire of a similar nature that has occurred in that part of the county within the past two weeks.

weeks
H. M. Clay, of Toane, has sold his store building and lot at that place to T. N. and George A. Marston.
Mrs. H. Grimstead has been elected. Mrs. H. Grimstead has been elected teacher of the fifth grade in the Williamsburg High School, to succeed Miss Emma Murray, who resigned on account of her health. The city school board, at its last meeting passed an order requiring teachers who are absent by sickness or otherwise to pay their own substitutes. Teachers for the Williamsburg schools will hereafter be elected immediately after the close of the session, and applicants must have certificates filed with their applications.

John S. Charles, deputy internal revenue collector, returned last night from Norfolk, where he has been engaged for the past week or more on important work for his department.

"The Last Judgment."

Spohr's oratorio, "The Last Judgment," will be given by the choir of St. Paul's Church to-night at 8 o'clock, under the directorship of Dr. Jacob Reinhardt. This masterpiece, by Ludwig Spohr, the great German composer, is considered by the English-speaking people to be his greatest achievement. The public is invited.

Baltimore and Southern Manufacturers Meet Here April 4-5.

TO CHASE DAME CARE AWAY

Program Includes Trips by Boat and Auto, Dinners and a Touch of Business.

The Baltimore and Southern Paper Trade Association, comprising manufacturers, jobbers and dealers in the principal cities of Virginia and Maryland, will gather in Richmond on April 4-5 for a general meeting in which recreation and entertainment will take precedence over business. Headquarters will be at the Hotel Richmond, and more than 100 delegates are expected to attend.

Benjamin Wilson, of the B. W. Wilson Paper Company, of this city, is chairman of the local committee on arrangements. The committee has prepared a program which will provide the visitors with something to do from the time they step off the train at Elba Station at 3 o'clock on the afternoon of Friday, April 4, until they are ready to check their bags for home on the folowing Monday. Automobiles will be in waiting at

Elba to take the delegates to the Hotel Richmond. The regular quarterly meeting of the association will be held at the hotel at 4:30 o'clock Friday afternoon. Conforming to the idea of relegating business to the background this meeting will be imited to one hour.

Address by Dabney.

At 5:30 o'clock Friday afternoon the delegates will sit down to a dinner, the feature of which will be an address by Business Manager W. T. Dab-ney, of the Chamber of Commerce, Mr. Dabney will speak on "Co-operation," and will confine himself to a thirty-minute limit. Short speeches will be made by one or two of the visiting delegation, and by Mayor Ainslie, who will welcome the visitors to the city.

The dinner will be followed by a theatre party at 8:15 o'clock. On Saturday the visitors, under the guidance of the local entertainment committee city at 10:30 o'clock in the morning, winding up at 12 o'clock uoon for luncheon at the Country Club of Virginia. The early afternoon will be devoted to individual visits to members devoted to individual visits to members of the trade in Richmond. At 4 o'clock visitors and hosts will leave for Old Point Comfort, arriving there two hours later. All day Sunday will be spent at the Point. At 7 o'clock in the evening the party will board the steamer for Richmond, arriving here Monday morning to disperse.

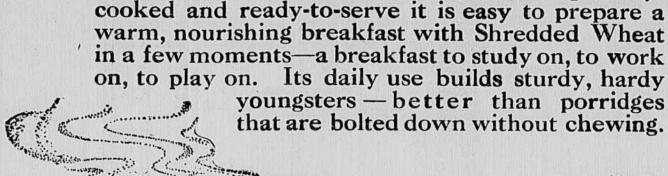
Monday morning to disperse.

Officers of Association.

The officers of the Baltimore Southern Paper Trade Association com-prise R. P. Andrews, of the R. P. An-drews Paper Company, Washington, drews Paper Company, Washington, president; A. J. Corning, of the Hubbs & Corning Company, Baltimore, vice-president; F. N. McDonald, of F. N. McDonald & Co., secretary, and Charles W. Beers, of Charles Beers & Co.,

treasurer.
The association comes to Richmond on the invitation of Benjamin Wilson, of the B. W. Wilson Paper Company of this city, who, in his own words





For breakfast heat the Biscuit in the oven a few moments to restore crispness; then pour hot milk over it, adding a little cream; salt or sweeten to suit the taste. It is deliciously nourishing and wholesome for any meal with stewed prunes, baked apples, sliced bananas, preserved peaches, pineapple or other fruits. At your grocer's.

Made only by The Shredded Wheat Company at Niagara Falls, N.Y.

The Breakfast Bell

It's music to the ears of school-boys and school-

Shredded Wheat

served with hot milk and cream. Being ready-

girls in homes where the morning meal is

### FIRST GUN IN FIGHT FOR BETTER TAX LAWS

Adjoining Counties in Conference at Hampton.

HUNDREDS IN ATTENDANCE

Other Matters of General Interest to Agriculturists Also Discussed.

[Special to The Times-Dispatch.] Hampton, Va., March 20 .- The farms of Elizabeth City County and

pledges himself not "to go to sleep on this job" until the visitors leave Richmond for their homes. He will be assisted in the arrangements for the local entertainment by other Richmond members of the association, and by J. Albert Rohlas, of the Robins Paper Company, Baltimore.

Climate Failed;

Imany from Warwick, York and James City Counties had complete possession of Hampton to-day, and they kept in the saddle all day long. They listened to speeches on better farming in the morning and again in the afternoon, and they got in dead earnest on the taxation subject, and it looks as if the gathering here to-day is the beginning, and a very bright beginning, of a vigorous campaign that will become State-wide against the unjust, ation. The speaking was closed by Henry Lane Schmeiz, a prominent Medicine Effective

Medicine Medici

between four and arrested. Something more of Elizabeth City County and adjoining countes quit their plows and consumered the disease again and again, compared the disease again and hear diseased the taxation question and hear diseased the taxation question again, compared the disease again and again, compared the disease again and hear diseased the taxation question again, compared the disease again and spatial transmitted again, and hear diseased the taxation question again, and hear diseased the taxation again, and the distance again and the distance again and the distance again and the distance again again, and the

rain elevator. I have used to state that all the state of the better. Sworn Affidavit) ARTHUR WEBB. Eckman's Alterative is effective in Bronchitis. Asthma, Hay Fever, Throat and Lung Troubles and in upbuilding the system. Does not contain poisons, opiates or habit-forming druggs. For sale by Tragle Drug Co. and other leading druggists. Ask for booklet telling of recoveries, and write to Eckman Laboratory, Philadelphia, Pa., for additional evidence.—Advertisement.

Line to day as the ference, because this date had already ference, because this date had alread big spread, which was called a lunch, but to an onlooker and a participant it looked like a mighty big dinner. The lunch was served by the good women of the St. Agnes Guild of St. John's Church, and a grand spread it was. Four hundred and fifty Morny-handed sons of toil sat down to the dinner, and immediately after doing Justice to it, they repaired to the exhibit car of the institute train and thoroughly inspected the Bellwood exhibition and enjoyed it not a little. Then they returned to the courthouse and listened turned to the courthouse and listened all the afternoon to further discussion of modern methods of farming and of the taxation laws and customs in Vir-

The conference was opened at 1 The conference was opened at 10 o'clock in the morning in the court-house, and when President Booker called the meeting to order every available seat was occupied, there being in the building by actual count 420 farmers. The president of the Retail Merchants' Association warmly welcomed the farmers, and then introduced Harry Houston, editor of the Hampton Monitor, and a member of Hampton Monitor, and a member of the Virginia Legislature. Mr. Hous-ton's theme was "The Tax Laws, and How to Improve Them." He was fol-lowed by Commissioner Koiner, who talked entertainingly of the work of Agricultural Department and farm

ork in general. Harry Holt, the Circuit Court clerk of Elizabeth City County, was the next speaker, and the paper he presented brought out some interesting statis-tics showing the inequality of assess-

ments and taxation in the State, Along Farmers of Elizabeth City and the same lines S. Gordon Cummings spoke interestingly and eloquently, W. D. Zinn, of West Virginia, who has been all over the Chesapeake and Ohio Railway with the institute train within the past two weeks, talked on soil improvement and how to go at Incidentally he had some remarks throw in on the taxation question. Mayor Thornton F. Jones, of Hampton, spoke in explanation of Hampton's superior shipping facilities and its splendid facilities for handling farmers' products both by rail and water craft. C. T. Rice, of Bedford County, who was also of the institute train crew, spoke on darying. S. B. Heiges spoke on corn culture and seed selection. He was followed by Dr. W. A

Plecker, of the State Board of Hearth, who discussed sanitation in the rural districts.

Richmond in Sympathy.

T. Peyton Giles, of the Richmond Local parties, \$3,000 at 102.

Sinking Fund Commissioners, city. It has been absolutely shown that rest, fresh air and good food do help many persons suffering from Tuberculosis. But it must be admitted that the disease is seldom more than "arrested." Something more is needed.

System of assessing and taxing proporties theme was the good formed meeting last night, after considerable discussion and explanation, ris, a farmers of Elizabeth City County and adjusting countries and the many providing for the first theme was the good formed meeting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting adjusting for the first theme was the good formed meeting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting adjusting for the first theme was the good formed meeting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting last night, after considerable discussion and explanation concurred in the ordinance sent up from the lower branch, providing for the first theme was the good formed meeting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting last night, after considerable discussion and explanation ris, a farmer-preacher, submitted ringing resolutions thanking the Merting last night, after considerable discussion and explanation ringing resolutions thanking the Merting last night, after considerable discussion and explanation ringing resolutions thanking the Merting last night, after considerable discussion and explanation ringing resolution ringing resolution ringing resolutions thanking the Merting last n

Pneumonia has taken in tens and tens of thousands. Gowan's Preparation always cures pneumonia. Ask the many thousands who are living cured by it. Every Mother in the land who has used Gowan's sings its praise. If you have not used it. do so and feel secure.

All druggists handle the great external remedy. Three sizes, 25c, 50c, \$1.00. Buy it to-day.

Bauetiful Bridal Furniture in Circassian walnut, solid mahogany and ivory and gray enamel, at

> Sydnor & Hundley, Inc. Seventh and Grace Streets.

# News of Petersburg

The Times-Dispatch Bureau, 5 Bollingbrook Street

(Telephone 1485). Petersburg Va., March 29. in whole or in part of the new issue of \$300,000 of bonds of the city of jurors were in favor of the death pen-Petersburg for public improvements alty.

Townsend Scott & Son, of Baltiiore, \$100,000 at 96.83. Estabrook & Co., of New York, \$190,

000 at 93.21 Mayer, Dippy & Co., of Cincinnati,

STREET GRADES TO BE RAISED.

ringing resolutions thanking the Merchants' Association for inaugurating the movement that has started off so well, and also the good women of Hampton for the big dinner served the visitors.

President Booker, of the association

The ordinance appropriating \$15,000 Amateur Basebill League.

At the meeting of A. P. Hill Camp, as provided for in the new bond issue

Sons of Confederate Veterans, to-morwas passed, and concurrence was voted in an appropriation of \$200 to the King's Daughters to be used in their perfected for the rally at the April work of relief of the needy; and in the Council resolution instructing the city engineer to prepare a plat of city on and adjacent to the Courthouse This resolution. The courthouse This resolution is the resolution of the range of the Rev. Dr. H. W. Battle, of Charlottesville, chaplaingeneral of the State organization, will deliver his lecture on Jefferson Davis. Square. This resolution contemplates the feasibility of the crection of a combined office building for the accombined office building for the accommodation of city official. and an burg. commodation of city officials, armory for the Petersburg military.

NEW HOTEL PROJECT.

Committees Will Be Rendy to Report Within Few Days.

The committees of the Chamber of Life."

Commerce and Retail Merchants' Association, having the matter of the new Baptist Church hotel proposition in charge, met yes- banquet to-night.

reases of minor importance were discovered to locate the new hotel on the site of the new Shirley, on West Tabb Street, which property is effected for \$40,000; and to build a 100-room hestelry at an estimated cost of \$100,000—a stock company to be organized to carry the company to be organized to carry the

scheme through, CIVIL DOCKET TAKEN UP.

No Cases of Great Importance Up for Trial in Dinwiddle.

The Circuit Court of Dinwiddle having finished its Commonwealth's dock-et, will take up the civil docket to-morrow. The Commonwealth prose-cutions resulted in a number of con-

victions, of which details have published in The Times-Dispatch, or five persons being sentenced to the penitentiary. The most important of these cases was that of John Young. Bids for the purchase of \$100,000 negro, who was sent up for eighteen whole or in part of the new issue plished by violence. Some of the

Petersburg for public improvements were opened by the Finance Committee this afternoon. The bids received were as follows:

Local parties, \$3,000 at 102.

Local parties, \$1,000 at 100.

Townsend Scott & Son of Baltis

ERECTION OF NEW SYNAGOGUE.

Orthodox Hebrew Congregation Progresses With Plans.
The Orthodox Hebrew congregation progressing with the building of is progressing with the building of the new synagogue on North Market, opposite Friend Street. The double frame dwelling, fronting on Market Street has been turned endwise to the street, to make rooms for the syna-gogue, and will be occupied as a resi-dence by the family of Rabbi Myers. The congregation has grown in such

The congregation has grown in such numbers as to necessitate the build-ng of a synagogue. HIGH TENSION CABLES TESTED.

Line Will Be Carefully Inspected for

"National Battlefield Park," at Peters

Dr. Albert Lefevre, of the University of Virginia, will deliver the fourth of the series of university extension lectures before the Petersburg Edu-cational Association to-morrow night. His subject will be the "Philosophy of

The Men's Bible Class of West End enjoyed their annual Short talks were

terday afternoon in private session, and, though no definite action was taken, discussed the subject at length, it is understood that the committee will be ready in a few days to announce its plans.

The March term of the Hustings Court began to-day, but only two cases of minor importance were discovered to the pastor and others, and orchestral music added interest to the cocasion.

FOR WOMEN



Tyrce's Antiseptic Powder is non-poi-sonous. Has no equal as a disease preventive or as a wash. 25c. and \$1.00. All drug-gists. Booklet and sample free.